



United States Department of State

Washington, D.C. 20520

June 24, 2025

Tammi M. Hellwig
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: *Kenneth Lum, et al. v. Islamic Republic of Iran*, 1:24-cv-07824-UA

Dear Ms. Hellwig:

I am writing regarding the Court's request for transmittal of Summons, Iran Short Form Complaint and Demand for Trial by Jury, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice of Suit, Civil Cover Sheet, and Related Case Statement to the Islamic Republic of Iran pursuant to 28 U.S.C. Section 1608(a)(4) as a defendant in the above referenced lawsuit.

Because the United States does not maintain diplomatic relations with the Government of Iran, the Department of State is assisted by the Foreign Interests Section of the Embassy of Switzerland in Tehran in delivering these documents to the Iranian Ministry of Foreign Affairs. The documents were delivered to the Iranian Ministry of Foreign Affairs under cover of diplomatic note No. 1032-IE, dated May 18, 2025, and delivered on May 19, 2025. A certified copy of the diplomatic note is enclosed.¹

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Hess", written over a horizontal line.

Jared N. Hess
Attorney Adviser
Office of the Legal Adviser
L/CA/POG/GC

¹ Please note that performance by the Department of State of its statutory functions under 28 U.S.C. § 1608 should not be construed as an indication in any way of the United States' position or views on whether plaintiffs have properly complied with all statutory requirements of the FSIA, the status or character of a defendant, whether service was properly effected, or the merits of any claims or defenses. *See* <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/international-judicial-asst/Service-of-Process/Foreign-Sovereign-Immunities-Act.html>.

Cc: Jerry S. Goldman
Anderson Kill P.C.
7 Times Square, 15th Floor
New York, NY 10036

SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland)
Bern, Canton of Bern) SS:
Embassy of the United States of America)

Scott M. DRISKEL, a consular officer at the Embassy of the United States at Bern, Switzerland, certify that this is a true copy of Embassy note number 28502 dated March 7, 2025, which was transmitted to the Swiss Ministry of Foreign Affairs on March 19, 2025, for further transmission to the American Interests Section of the Swiss Embassy in Tehran, Iran.



(Signature of Consular Officer)

Scott M. DRISKEL

(Typed name of Consular Officer)

Consul of the United States of America

(Title of Consular Officer)

June 10, 2025

(Date)





Embassy of the United States of America

March 17, 2025

CONS NO.

28502

Federal Department of Foreign Affairs
Foreign Interests Section
Kochergasse 10
Federal Palace North
Office #4.001
3003 Bern

Subject: JUDICIAL ASSISTANCE: Service of process under the Foreign Sovereign Immunities Act (FSIA) – **Kenneth Lum, et al. v. Islamic Republic of Iran, 1:24-cv-07824-UA**

REF: ----

The Department of State has requested the delivery of the enclosed Summons, Iran Short Form Complaint and Demand for Trial by Jury, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice of Suit, Civil Cover Sheet, and Related Case Statement to the Ministry of Foreign Affairs of the Islamic Republic of Iran pursuant to the Foreign Sovereign Immunities Act in the matter *Kenneith Lum, et al. v. Islamic Republic of Iran, 1:24-cv-07824-UA*.

The Embassy is herewith requesting the Swiss Ministry of Foreign Affairs to transmit the documents to the American Interests Section of the Swiss Embassy in Tehran. There is one defendant to be served in this case: the Islamic Republic of Iran. The American Interests Section should transmit the Summons, Iran Short Form Complaint and Demand for Trial by Jury, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice of Suit, Civil Cover Sheet, and Related Case Statement to the Iranian Ministry of Foreign Affairs under cover of one diplomatic note utilizing the language provided in the enclosed instructions.

Transmittal should be done in a manner which enables the Embassy to confirm delivery. The American Interests Section should execute certifications of the diplomatic notes, which will be forwarded by the Department of State to the requesting court in the United States.

Enclosed is one appropriate part of a message the Embassy received from the Department of State as well two sets of documents for each defendant.

The Embassy would appreciate being informed of the date the American Interests Section of the Swiss Embassy in Tehran receives the documents as well as the date the Interests Section forwards the documents to the Iranian authorities.

SPP's assistance is much appreciated.



BEGIN TEXT OF DIPLOMATIC NOTE REGARDING DEFENDANT Islamic Republic of Iran:

The Embassy of Switzerland, Foreign Interests Section in Tehran refers the Ministry of Foreign Affairs of the Islamic Republic of Iran to the lawsuit ***Kenneth Lum, et al. v. Islamic Republic of Iran, 1:24-cv-07824-UA***, which is pending in the U.S. District Court for the Southern District of New York. The Islamic Republic of Iran is a defendant in this case. The Foreign Interests Section transmits a Summons, Iran Short Form Complaint and Demand for Trial by Jury (hereinafter "Complaint"), Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Civil Cover Sheet, and Related Case Statement herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Foreign Interests Section requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons, Complaint, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Civil Cover Sheet, and Related Case Statement, the Foreign Interests Section is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Foreign Interests Section has been advised that under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to

discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

Attachments:

1. Summons, Iran Short Form Complaint and Demand for Trial by Jury, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice of Suit, Civil Cover Sheet, and Related Case Statement.
2. Translations

END TEXT OF DIPLOMATIC NOTE REGARDING DEFENDANT Islamic Republic of Iran

SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland)
Canton of Bern) SS:
Embassy of the United States of America)

I certify that the annexed document bears the genuine seal of the Swiss Federal
Department of Foreign Affairs.

I certify under penalty of perjury under the laws of the United States that the foregoing
is true and correct.



(Signature of Consular Officer)

Scott M. DRISKEL

(Typed name of Consular Officer)

Consul of the United States of America
(Title of Consular Officer)

June 10, 2025
(Date)





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA

K. 346-01-02-01-USA/IRAN

The Federal Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and refers to Cons Note No. 28502 dated March 17, 2025, regarding judicial assistance and has the honor to convey following documents of the U.S. Interests Section of the Embassy of Switzerland in Tehran:

Judicial Assistance:

-Kenneth Lum, et al. v. Islamic Republic of Iran, 1:24-cv-07824-UA
Note 1032-IE, addressed to the Islamic Republic of Iran

dated May 18, 2025, and proof of service, dated May 19, 2025, as well as the certification by the Swiss Federal Chancellery dated May 27, 2025.

The section has received the above-mentioned documents on May 5, 2025. It has transmitted these to the Iranian Ministry of Foreign Affairs together with its diplomatic note on May 19, 2025. The reception of the mentioned documents was refused the same day by the Iranian Ministry of Foreign Affairs.

The Federal Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of United States of America the assurances of its highest consideration.

Berne, May 27, 2025

Enclosure(s) mentioned



To the
Embassy of the
United States of America

Berne

SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland)
Bern, Canton of Bern) SS:
Embassy of the United States of America)

I certify that the annexed document is executed by the genuine signature and seal of the following named official who, in an official capacity, is empowered by the laws of Switzerland to execute that document.

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Alessandra MANOIERO

(Typed name of Official who executed the annexed document)



(Signature of Consular Officer)

Scott M. DRISKEL

(Typed name of Consular Officer)

Consul of the United States of America

(Title of Consular Officer)

June 10, 2025

(Date)





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Embassy of Switzerland in Iran
Foreign Interests Section

No. 1032-IE

The Embassy of Switzerland, Foreign Interests Section in Tehran, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran, and has the honor to refer the Ministry to the lawsuit **Kenneth Lum, et al. v. Islamic Republic of Iran, 1:24-cv-07824-UA**, which is pending in the United States District Court for the Southern District of New York. The Islamic Republic of Iran is a defendant in this case. The Embassy transmits a Summons, Iran Short Form Complaint and Demand for Trial by Jury (hereinafter "Complaint"), Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Civil Cover Sheet, and Related Case Statement herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law, a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Embassy requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons, Complaint, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Civil Cover Sheet, and Related Case Statement, the Embassy is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Embassy has been advised that under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

The Embassy of Switzerland, Foreign Interests Section, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Tehran – May 18, 2025




Attachments:

1. Summons, Iran Short Form Complaint and Demand for Trial by Jury, Notice to Conform to Consolidated Amended Complaint, Notice to Conform to Sudan Consolidated Amended Complaint or Ashton Sudan Amended Complaint, Notice of Suit, Civil Cover Sheet, and Related Case Statement
2. Translations

Ministry of Foreign Affairs
Islamic Republic of Iran
Department of American Affairs
Tehran

I, Dominique Baeriswyl, Head of the Foreign Interests Section of the Embassy of Switzerland in Iran, certify herewith that this is a true copy of Diplomatic Note No. 1032-IE, dated May 18, 2025. The delivery of this note and its enclosures was attempted on May 19, 2025, but the Iranian Ministry of Foreign Affairs refused its acceptance.


Dominique Baeriswyl
Head of the Foreign Interests Section

Tehran – May 19, 2025



APOSTILLE
(Convention de la Haye du 5 octobre 1961)

1. Country: SWISS CONFEDERATION

This public document

2. has been signed by Dominique Baeriswyl

3. acting in the capacity of Head of the Foreign Interests Section

4. bears the seal/stamp of

Embassy of Switzerland US Interests Section Tehran

Certified

5. at Berne

6. the 27.05.2025

7. by Alessandra Manoiero
functionary of the Swiss federal Chancellery

8. No 013177

9. Seal/stamp:

Swiss federal Chancellery

10. Signature:





ترجمه غیر رسمی

سفارت سوئیس
قسمت حافظ منافع خارجی

شماره IE-1032

سفارت سوئیس، قسمت حافظ منافع خارجی در تهران، ضمن اظهار تعارفات خود به وزارت امور خارجه جمهوری اسلامی ایران، احتراماً توجه آن وزارتخانه محترم را به دعوی حقوقی تحت عنوان **کنث لوم و سایرین علیه جمهوری اسلامی ایران، تحت پرونده مدنی شماره 1:24-cv-07824-UA** که در دادگاه منطقه ای ایالات متحده برای ناحیه جنوب نیو یورک مفتوح میباشد، جلب می نماید. جمهوری اسلامی ایران طرف خوانده در این پرونده می باشد. سفارت سوئیس بنا به درخواست دادگاه منطقه ای ایالات متحده برای ناحیه جنوب نیو یورک، یک فقره احضاریه، فرم کوتاه شکایت از ایران و تقاضای برگزاری محاکمه همراه با هیئت منصفه (که از این پس «شکایت» نامیده می شود)، اطلاعیه برای مطابقت با شکایت اصلاح شده تلفیقی، اطلاعیه برای انطباق به شکایت اصلاح شده تلفیقی سودان یا شکایت اشتون سودان، برگه جلد دادخواست مدنی و اظهارات پرونده های مرتبط را ایفاد می دارد. برابر مقررات فصل 28 بخش 1608 بند (الف)(4) مجموعه قوانین ایالات متحده، این یادداشت به منزله ابلاغ مدارک مذکور به دولت جمهوری اسلامی ایران تلقی می گردد.

طبق قوانین قابل اجرا ایالات متحده، خوانده یک پرونده می بایست ظرف ۶۰ روز از تاریخ ابلاغ شکایت، در این مورد تاریخ یادداشت، پاسخی به شکایت یا دیگر پاسخی دفاعی در پرونده بگذارد. در غیر اینصورت، ممکن است حکمی بر ضد خوانده صادر گردد بدون آنکه خوانده فرصت ارائه شواهد و دفاعیه از طرف خود را داشته باشد. لذا، سفارت در خواست می نماید که احضاریه و شکایت ضمیمه، با این دید که اقدامات لازم جهت جلوگیری از حکم قصور انجام شود، برای مقامات مربوطه ایرانی ارسال گردد.

سفارت علاوه بر احضاریه، فرم کوتاه شکایت از ایران و تقاضای برگزاری محاکمه همراه با هیئت منصفه (که از این پس «شکایت» نامیده می شود)، اطلاعیه برای مطابقت با شکایت اصلاح شده تلفیقی، اطلاعیه برای انطباق به شکایت اصلاح شده تلفیقی سودان یا شکایت اشتون سودان، برگه جلد دادخواست مدنی و اظهارات پرونده های مرتبط، اطلاعیه اقامه دعوی که توسط شاکی داور بر خلاصه ماهیت پرونده و مشتمل بر رونوشتی از مجموعه قوانین ایالات متحده آمریکا در خصوص دادخواست علیه دولتهای خارجی تهیه شده است، را به پیوست ایفاد می دارد.

سفارت بدینوسیله اشعار می دارد که بموجب قوانین ایالات متحده آمریکا، هر گونه دفاع مربوط به قلمرو قضائی و اداری و یا دفاع دیگری، از جمله عنوان نمودن مصونیت دولت ها، باید در مقابل دادگاهی صورت گیرد که موضوع در آن مفتوح می باشد. از این رو مشورت با یک مشاور حقوقی در ایالات متحده آمریکا توصیه می گردد. وزارت امور خارجه ایالات متحده آمریکا آماده گفتگو با مشاور در مورد قوانین مربوطه میباشد. دولت ایالات متحده آمریکا از طرفین این پرونده نبوده و نماینده هیچ یک از طرفین نخواهد بود.

سفارت سوئیس، قسمت حافظ منافع خارجی، موقع را معتقد شمرده مراتب احترامات فائقه خود نسبت به وزارت امور خارجه جمهوری اسلامی ایران را تجدید می نماید.



تهران - بتاريخ بیست و هشتم اردیبهشت ماه ۱۴۰۴ (۱۸ می ۲۰۲۵)

پیوست: ۱- احضاریه، فرم کوتاه شکایت از ایران و تقاضای برگزاری محاکمه همراه با هیئت منصفه، اطلاعیه برای مطابقت با شکایت اصلاح شده تلفیقی، اطلاعیه برای انطباق به شکایت اصلاح شده تلفیقی سودان یا شکایت اشتون سودان، اطلاعیه اقامه دعوی، برگه جلد دادخواست مدنی و اظهارات پرونده های مرتبط
۲- ترجمه ها

اداره امور آمریکا
وزارت امور خارجه
جمهوری اسلامی ایران
تهران